

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ROBERT V. TOWNES, IV,)	
Individually and on behalf of)	
all persons similarly situated,)	
)	CIVIL ACTION No. 04-1488-JJF
Plaintiff,)	
)	
vs.)	
)	
TRANS UNION, LLC and)	CLASS ACTION
TRUELINK, INC.,)	
)	
Defendants.)	

**JOINT MOTION FOR EXTENSION OF
INITIAL DISCOVERY CUTOFF AND OTHER DEADLINES**

The parties hereby jointly move the Court for a 90-day extension of the initial discovery cut-off and related deadlines in this action. The parties note that the extensions requested herein, if granted, will not affect the final discovery cut-off and trial date. The grounds for this Motion are as follows:

1. This is a putative nationwide class action lawsuit. The parties have engaged in substantial discovery in this case. Defendant TrueLink, Inc. has produced thousands of pages of documents to Plaintiff and has tendered numerous witnesses for depositions. Those depositions have taken place over at least 10 days during the discovery period.

2. Despite the parties' diligence and efforts, discovery has not been completed. There are at least four remaining depositions to be taken. Due to scheduling conflicts, the Rule 30(b)(6) deposition of TrueLink, Inc. has not been completed. One other TrueLink witness also needs to be deposed. Because TrueLink's offices are located in San Luis Obispo, California, and counsel for the parties are located elsewhere, the rescheduling of these depositions is a complicated matter, requiring coordination of schedules for all counsel for substantial travel

time, as well as coordinating with the witnesses for their availability. Additionally, the parties must complete the discovery directed to Trans Union, LLC, the other defendant in the case. Plaintiffs have served an Amended Rule 30(b)(6) Deposition Notice on Trans Union, LLC and the parties have been working to resolve disagreements concerning the scope of the topics upon which examination is requested without involving the Court. The parties hope to resolve those differences in the coming 10 days. Based upon the parties' current discussions, Trans Union, LLC anticipates tendering two (2) persons for deposition in response to the Rule 30(b)(6) notice.

3. Based on the foregoing, all parties have agreed that a 90-day extension of the initial discovery cut-off (not the final discovery cut-off) and related deadlines will be sufficient to complete the remaining discovery. The parties have asked for 90 days, rather than 60 days, in order to ensure that the parties do not have to ask for a second extension, given the current difficulties being encountered in scheduling depositions.

4. The specific deadlines of which the parties request extensions are the following:

a. the initial discovery deadline (in paragraph 4(a) of the Court's November 18, 2005 Scheduling Order be extended from July 30, 2006 to October 30, 2006;

b. the case dispositive motion deadline and class certification motion deadline (in paragraphs 7 and 8 of said Order) be extended to December 15, 2006, and that the deadlines in the same paragraph for responding to such motions be extended to January 15, 2007.

5. The final discovery cut-off and expert deadlines are unaffected by this motion. The parties do not anticipate at this time requesting extensions of these deadlines.

6. A proposed Order is attached which would replace this Court's November 18, 2005 Order.

WHEREFORE, the parties jointly request that the Court grant an extension of time by 90 days of the initial discovery deadline, case dispositive motion deadline and the class certification motion deadline.

Date: August 11, 2006

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CERTIFICATE OF SERVICE

I, Carmella P. Keener, hereby certify that on this 11th day of August, 2006, I electronically filed **JOINT MOTION FOR EXTENSION OF INITIAL DISCOVERY CUTOFF AND OTHER DEADLINES** with the Clerk of the Court using CM/ECF, which will send notification of such filing to the following:

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